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EXAMINER

MANOSKEY, JOSEPH D

ART UNIT

PAPER NUMBER

2113

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/848,807

Applicant(s)

IRVING, GUY B.

Examiner

Joseph Manoskey

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference "122" from page 21, line 15, reference "97" from page 21, line 30. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference "99" of FIG. 5. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities: On page 1, a related application is cited but the serial number and filing date are not. On page 21, line 12 the disclosure cites a public network "46" but on line 6 of the same page "46" is used in reference to a midplane.

Appropriate correction is required.

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 103***

5. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being obvious over Hipp et al., U.S. Patent 6,411,506, hereinafter referred to as "Hipp", in view of Hacherl, U.S. Patent 6,324,571.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(I)(1) and § 706.02(I)(2).

6. Referring to claim 1, Hipp teaches a server processing card comprising a printed circuit board, a central processing unit, a memory integrated circuitry, and a network interface (See Fig. 2, and Col. 8, lines 1-4). Hipp does not teach the card having a master control module, where the master control module is idle until it detects a master control signal, however Hipp does disclose a management network interface, which is interpreted as master control module, that monitors and manages components using single board computer that includes similar hardware and components to the server processing card (See Col. 13, lines 37-44 and Col. 19, lines 53-60). Hacherl discloses a multiple servers being physically capable of performing a particular system-wide task and where the authority for server to perform this task is "floated" to giving it master server authority. This is done with an attribute that identifies the role owner; this is interpreted as a master control signal (See Hacherl, Col. 2, lines 1-22). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the floating master server of Hacherl with the server processor cards of Hipp, that are physically similar to the management network interface. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the absence of a master that exclusively responsible for a system critical task can cripple a network (See Hacherl, Col. 1, lines 49-51).

7. Referring to claim 2, Hipp and Hacherl teach all the limitations (See rejection of claim 1) including the master control module being active if the master control signal is detected. Hacherl discloses that a server becomes the master server when the role owner attribute identifies the corresponding server (See Hacherl, Col. 2, lines 1-22).

8. Referring to claim 3, Hipp and Hacherl teach all the limitations (See rejection of claim 2) including the master control module performing hardware master responsibilities. Hipp teaches that the management network interface, interpreted as the master control module, monitors and manages components (See Col. 19, lines 53-60).

9. Referring to claims 4 and 5, Hipp and Hacherl teach all the limitations (See rejection of claim 3) including the master control module monitoring health information of the hardware components. This health information includes temperatures, voltages, fan speeds, and disk drive health and configuration (See Hipp, Col. 19, lines 65-66, Col. 20, lines 56-58, and Col. 21, lines 28-29).

10. Referring to claims 6 and 7, Hipp and Hacherl disclose all the limitations (See rejection of claim 3) including the master control module monitoring configuration information. This configuration information includes, size of disk drive, speed of processor, unique ids of hardware components, memory capacity of memory integrated circuits, and power supply operating capacities (See Hipp, Col. 6, line 15, Col. 8, lines 26-28, Col. 20, lines 58-61, Col. 21, lines 18-20 and lines 27-29).

11. Referring to claims 8 and 9, Hipp and Hacherl disclose all the limitations (See rejections of claims 4-7).

12. Referring to claims 10 and 11, Hipp and Hacherl disclose all the limitations (See rejection of claim 3) including the master control module being able to reboot at least one of the computing devices and reboot from an operating system on a remote component of a local area network (See Hipp, Col. 15, lines 6-8 and Col. 18, lines 41-42).

13. Referring to claim 12, Hipp and Hacherl teach all the limitations (See rejection of claim 3) including the network interface is coupled to a LAN and the master control module can report health and configuration information to a remote component (See Hipp, Col. 3, lines 46-48 and Col. 4, lines 18-20).

14. Referring to claim 13, Hipp and Hacherl disclose all the limitations (See rejection of claim 2) including command bus coupled with the server processing cards; the command bus is interpreted as a control bus (See Hipp, Col. 18, lines 39-41).

15. Referring to claim 14, Hipp teaches a server chassis comprising a plurality of server processor cards and a midplane for communication among the cards (See Fig.12, and Col. 2, lines 16-22). Hipp does not teach the cards having respective master control modules, wherein at least one of the cards performs hardware master responsibilities, however Hipp does disclose a management network interface, which is interpreted as master control module, that monitors and manages components using single board computer that includes similar hardware and components to the server processing card (See Col. 13, lines 37-44 and Col. 19, lines 53-60). Hacherl discloses a multiple servers being physically capable of performing a particular system-wide task and where the authority for server to perform this task is "floated" to giving it master server authority. This is done with an attribute that identifies the role owner; this is interpreted as a master control signal (See Hacherl, Col. 2, lines 1-22). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the floating master server of Hacherl with the server processor cards in the server chassis of Hipp, that are physically similar to the management network interface. This would

have been obvious to one of ordinary skill in the art at the time of the invention to do because the absence of a master that exclusively responsible for a system critical task can cripple a network (See Hacherl, Col. 1, lines 49-51).

16. Referring to claim 15, Hipp teaches a method of monitoring a plurality of server processing cards of a server chassis comprising a manage network interface, which is interpreted as a master control module, monitoring operating information of server processing cards (See Col. 19, lines 53-60). Hipp does not teach the cards having a master control modules and transmitting a master control signal to activate a master control module, however Hipp does disclose a management network interface, which is interpreted as master control module, that monitors and manages components using single board computer that includes similar hardware and components to the server processing card (See Col. 13, lines 37-44 and Col. 19, lines 53-60). Hacherl discloses a multiple servers being physically capable of performing a particular system-wide task and where the authority for server to perform this task is "floated" to giving it master server authority. This is done with an attribute that identifies the role owner; this is interpreted as a master control signal (See Hacherl, Col. 2, lines 1-22). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the floating master server method of Hacherl with the monitoring of the server processor cards of Hipp, that are physically similar to the management network interface. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the absence of a master that exclusively responsible for a system critical task can cripple a network (See Hacherl, Col. 1, lines 49-51).



17. Referring to claim 16, Hipp and Hacherl teach all the limitations (See rejection of claim 15) including the information consisting of health and configuration information (See rejections to claims 4-7 for references to Hipp containing health and configuration information).

18. Referring to claim 17, Hipp and Hacherl teach all the limitations (See rejection of claim 15) including the master control module performing hardware master responsibilities. Hipp teaches that the management network interface, interpreted as the master control module, monitors and manages components (See Col. 19, lines 53-60).

19. Referring to claims 18 and 19, Hipp and Hacherl disclose all the limitations (See rejection of claim 15) including the master control module being able to reboot at least one of the computing devices and reboot from an operating system on a remote component of a local area network (See Hipp, Col. 15, lines 6-8 and Col. 18, lines 41-42).

20. Referring to claim 20, Hipp teaches computer readable medium encoded with logic operable to comprising monitoring operating information of server processing cards with a management network interface (See Col. 10, lines 39-42 and Col. 19, lines 53-60). Hipp does not teach the cards having a master control modules and transmitting a master control signal to activate a master control module, however Hipp does disclose a management network interface, which is interpreted as master control module, that monitors and manages components using single board computer that includes similar hardware and components to the server processing card (See Col. 13, lines 37-44 and Col. 19, lines 53-60). Hacherl discloses a multiple servers being physically capable of

performing a particular system-wide task and where the authority for server to perform this task is "floated" to giving it master server authority. This is done with an attribute that identifies the role owner; this is interpreted as a master control signal (See Hacherl, Col. 2, lines 1-22). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the floating master server of Hacherl with the computer readable medium encoded with logic operable for monitoring of the server processor cards of Hipp, that are physically similar to the management network interface. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the absence of a master that exclusively responsible for a system critical task can cripple a network (See Hacherl, Col. 1, lines 49-51).

21. Referring to claim 21, Hipp and Hacherl teach all the limitations (See rejection of claim 20) including the master control module performing hardware master responsibilities. Hipp teaches that the management network interface, interpreted as the master control module, monitors and manages components (See Col. 19, lines 53-60).

22. Referring to claims 22 and 23, Hipp and Hacherl disclose all the limitations (See rejection of claim 20) including the master control module being able to reboot at least one of the computing devices and reboot from an operating system on a remote component of a local area network (See Hipp, Col. 15, lines 6-8 and Col. 18, lines 41-42).

23. Referring to claim 24, Hipp teaches a means for monitoring operating information of server processing cards with a management network interface (See Col. 19, lines 53-60). Hipp does not teach the cards having a master control modules and transmitting a

master control signal to activate a master control module, however Hipp does disclose a management network interface, which is interpreted as master control module, that monitors and manages components using single board computer that includes similar hardware and components to the server processing card (See Col. 13, lines 37-44 and Col. 19, lines 53-60). Hacherl discloses a multiple servers being physically capable of performing a particular system-wide task and where the authority for server to perform this task is "floated" to giving it master server authority. This is done with an attribute that identifies the role owner; this is interpreted as a master control signal (See Hacherl, Col. 2, lines 1-22). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the floating master server of Hacherl with the means for monitoring of the server processor cards of Hipp, that are physically similar to the management network interface. This would have been obvious to one of ordinary skill in the art at the time of the invention to do because the absence of a master that exclusively responsible for a system critical task can cripple a network (See Hacherl, Col. 1, lines 49-51).

24. Referring to claim 25, Hipp and Hacherl teach all the limitations (See rejection of claim 24) including the master control module performing hardware master responsibilities. Hipp teaches that the management network interface, interpreted as the master control module, monitors and manages components (See Col. 19, lines 53-60).

25. Referring to claims 26 and 27, Hipp and Hacherl disclose all the limitations (See rejection of claim 24) including the master control module being able to reboot at least one of the computing devices and reboot from an operating system on a remote

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component of a local area network (See Hipp, Col. 15, lines 6-8 and Col. 18, lines 41-42).

***Conclusion***

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,298,376 to Rosner et al.

U.S. Patent 6,459,589 to Manweiler et al.


U.S. Patent 6,145,098 to Nouri et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Manoskey whose telephone number is (703) 308-5466. The examiner can normally be reached on Mon.-Fri. (8am to 4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

JDM  
January 15, 2004

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2